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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	<input checked="" type="checkbox"/> PROVISIONAL ORDER
	:	OF DISCIPLINE
Beth Joyce, RN	:	
License # 26NO08989900	:	<input checked="" type="checkbox"/> FINAL ORDER
	:	OF DISCIPLINE
	:	(Finalized by default
TO PRACTICE NURSING IN THE	:	on <u>January 21, 2012</u>)
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Beth Joyce ("Respondent") is a Registered Professional Nurse in the State of New Jersey and has been a licensee at all times relevant hereto. (Exhibit A).

2. Upon receipt of information indicating that Respondent had been arrested on July 17, 2013 by members of the Washington Township Police Department for violating N.J.S.A. 2C:12-1(a) (Simple Assault) and 2C:29-1(a) (Obstruct the Administration of Law), the Board sent Respondent a letter of inquiry requesting certain information and documentation regarding the criminal matter, Respondent's nursing practice, and continuing education. (Exhibit B)

3. Respondent provided a partial reply via facsimile dated August 5, 2013. (Exhibit C).

4. Over the course of several telephone calls, Board staff informed Respondent that the fax did not go through properly and that that much of the information and documentation that the Board requested was missing from her reply. Respondent reacted disharmoniously to the efforts of Board staff, but eventually mailed a packet of material to the Board in April 2014. Part of Respondent's reply was handwritten, in disjointed fashion, on a Physician's Order form. The Incident Report for the July 17, 2013 arrest indicates that Respondent and her

husband began to argue after the husband dumped a bottle of Respondent's wine down the kitchen sink, and that Respondent appeared intoxicated and had alcohol on her breath. Respondent also provided a copy of her husband's voluntary statement to the police, which was altered by Respondent adding a paragraph of her own writing. In addition to information and documentation concerning Respondent's July 17, 2013 arrest, Respondent also provided information and documentation concerning a June 15, 2013 arrest for violating N.J.S.A. 2C:33-2(a)(1) (Disorderly Conduct) and 2C:29-1(A) (Obstruct Administration of Law). (Exhibit D).

5. Although not disclosed by Respondent, the Board received information indicating that Respondent's June 15, 2013 arrest also included a charge of violating N.J.S.A. 39:4-50 (Operating Under the Influence of Liquor or Drug (DWI)). On August 15, 2013, Respondent was found guilty of DWI, had her driver's license revoked for 3 months, was ordered to complete 12 hours of IDRC, and assessed fines and costs totaling six hundred and eight dollars (\$608). (Exhibit E).

6. Respondent's license to practice nursing expired on May 31, 2015 and has not been renewed. (Exhibit A).

CONCLUSIONS OF LAW

Any professional or occupational license not renewed within thirty days of its expiration date shall be suspended without a hearing pursuant to N.J.S.A. 45:1-7.1(b). As such, Respondent's license was automatically and administratively suspended, without a hearing, on July 1, 2015.

Based upon Respondent's consecutive arrests involving intoxication, conviction of DWI, interactions over the telephone with Board staff, and the condition and manner of Respondent's written reply to the Board's letter of inquiry, the Board finds that testing, monitoring, evaluation, and treatment are warranted as a condition for reinstated licensure to evaluate whether Respondent's continued practice may jeopardize the safety and welfare of the public pursuant to N.J.S.A. 45:1-22(f) and to ensure that Respondent can properly discharge nursing functions pursuant to N.J.S.A. 45:1-22(e).

ACCORDINGLY, IT IS on this 2nd day of September, 2015, ORDERED that upon the filing of a FINAL ORDER OF DISCIPLINE in this matter:

1. Respondent's license to practice nursing was administratively suspended, without a hearing, on July 1, 2015, pursuant to N.J.S.A. 45:1-7.1(b).

2. The Board will not entertain an application for reinstatement from Respondent unless and until Respondent

undergoes a comprehensive mental health and substance abuse evaluation under the auspices of the Board designated intervention program, the Recovery and Monitoring Program (RAMP), demonstrates that she is fit and competent to practice nursing, and that RAMP supports her return to practice.

3. Respondent shall refrain from practicing as a nurse and shall not represent herself as a Registered Professional Nurse until such time as her license is reinstated. Any practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

4. The within order shall be subject to finalization by the Board at 5:00 p.m. on the 30th day following entry hereof unless Respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

a) Submitting a written request for modification or dismissal to Leslie Burgos, State Board of Nursing, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101.

b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.

c) Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor or offered in mitigation of penalty.

5. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration, a Final Order of Discipline will be entered.

6. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such proceeding. Further, in the event a hearing is held and upon review of the record, the Board shall not be limited to the findings, conclusions and sanctions stated herein.

7. In the event that the Board receives no written submission from Respondent within 30 days following filing of this Provisional Order of Discipline, without further Board review, the Provisional Order of Discipline shall automatically become the Final Order of Discipline. The box for Final Order of Discipline shall be checked, the Final Order of Discipline

shall be filed, and copies shall be mailed to Respondent. Thereafter, Respondent's failure to comply with any sanction or penalty imposed by this Order shall be considered a violation of a Board Order in contravention of N.J.S.A. 45:1-21 (e) and (h) and N.J.A.C. 13:45C-1.4 and may subject Respondent to additional sanction and/or penalty.

NEW JERSEY STATE BOARD OF NURSING

A handwritten signature in cursive script, appearing to read "Patricia Murphy", written over a horizontal line.

By:

Patricia Murphy, PhD, APN
Board President